

REMARKS

Applicant respectfully requests reconsideration and allowance of all of the claims of the present application in view of the foregoing claim amendments and the following remarks. The status of the claims is as follows:

- Claims 4-6, 13, 15, 17-20, 29, 31, and 33-35 were previously canceled and Claim 8 is canceled herein without prejudice to, or disclaimer of, the subject matter recited therein.
- Claims 1, 7, 9-12, 16, 28, 32, and 36 are amended herein.
- Therefore, Claims 1-3, 7, 9-12, 14, 16, 21-28, 30, 32, and 36 are presented for consideration.

Support for the amendments to Claims 1, 7, 9-12, 16, 28, 32, and 36 is found in the specification, as originally filed, in at least page 10, lines 11-18. The amendments submitted herein do not introduce any new matter.

Cited Documents

The following documents have been applied to reject one or more claims of the present Application:

- **Dunkle:** Dunkle, U.S. Patent No. 6,288,717
- **Brown:** Brown, U.S. Patent Application Publication No. 2002/0157026
- **Tenenbaum:** Tenenbaum et al., U.S. Patent Application Publication No. 2003/0080995
- **Uchiyama:** Uchiyama, U.S. Patent Application Publication No. 2002/0065802

Claims 1-3, 7, 9-11, 14, 16, 21-27, 30, 32, and 36 are Non-Obvious over Dunkle, Brown, and Tenenbaum

Claims 1-3, 7-11, 14, 16, 21-27, 30, 32, and 36 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Dunkle, Brown, and Tenenbaum. Applicant respectfully traverses the rejection and further requests that the Office reconsider and withdraw the rejection. Nevertheless, without conceding the propriety of the rejection and for the sole purpose of expediting allowance of the present application, Applicant hereby amends independent Claims 1, 16, 32, and 36 in the manner set forth above. Moreover, Applicant respectfully notes that dependent Claim 8 is hereby canceled, thus obviating the rejection with respect to Claim 8.

Independent Claim 1

Applicant respectfully submits that the combination of Dunkle, Brown, and Tenenbaum neither teaches nor suggests at least the following features recited in independent Claim 1, as amended:

an inference component configured to make declarations on behalf of the user based at least in part on a cost of making an incorrect inference versus a benefit of a correct inference.

In particular, Applicant respectfully submits that the cited combination of references does not teach or suggest “an inference component configured to make declarations on behalf of the user **based at least in part on a cost of making an incorrect inference versus a benefit of a correct inference,**” as presently recited in Claim 1 (emphasis added).

With respect to canceled dependent Claim 8, the Office asserts that “Dunkle as modified by Brown and Tenenbaum teaches an inference component to make

declarations on behalf of the user (Dunkle: Figure 2 and Column [5], lines 29-32...The system picks articles based on the user's preferences)" (Office Action, p. 6). Applicant respectfully disagrees and further submits that the combination of Dunkle, Brown, and Tenenbaum fails to teach or suggest the amended recitation of Claim 1.

For example, Dunkle generally describes that "[t]he program uses the topic interest flags to determine which articles and other customizable elements of the database are shown on a particular member's home page" (Dunkle, Abstract). More particularly, Dunkle describes that "[o]n each article detail page, beside every article there is a 'Rate This Article' button linked to a dialog box that invites the member to rate the article for usefulness, ease of reading and overall quality" (Dunkle, Col. 5, lines 28-31). Moreover, Dunkle describes that "[t]he data collected from members in this dialogue box will be used to give the algorithm a deeper understanding of members' preferences and enable it to serve up more welcome headlines" (Dunkle, Col. 5, lines 31-34). Dunkle further describes that "[w]hen the algorithm faces a choice between two articles that would otherwise score equally well against the user's profile, for example, it will automatically prefer the article that has scored higher with other users" (Dunkle, Col. 5, lines 34-38).

In view of the foregoing, Applicant respectfully submits that Dunkle does not teach or suggest "an inference component configured to make declarations on behalf of the user **based at least in part on a cost of making an incorrect inference versus a benefit of a correct inference,**" as presently recited in Claim 1 (emphasis added). For instance, Dunkle merely describes that the system described therein may select articles for a user based on preferences of that user and ratings submitted by, and collected

from, other users. Therefore, although Dunkle may describe that articles may be selected for, and provided to, users, Applicant submits that Dunkle provides no indication that the articles are selected “based at least in part on a cost of making an incorrect inference versus a benefit of a correct inference,” as presently recited in Claim 1. Rather, the articles are selected based on preferences known about a particular user, without weighing a cost of selecting an incorrect article and/or an article that is not of interest to that user versus the benefit of selecting an article that is of interest to that user. Accordingly, for at least these reasons, Applicant respectfully submits that Dunkle fails to teach or suggest the above recitation.

Further, Brown and Tenenbaum do not remedy the deficiencies in Dunkle set forth above with respect to independent Claim 1, nor does the Office make any assertions to that effect. For instance, Brown merely describes “a system and method for sharing user information” (Brown, Abstract) and Tenenbaum merely describes that “[a] web browser’s layout, available features and tools are adapted to the instantaneous environment” (Tenenbaum, Abstract). Accordingly, for at least the reasons set forth above, Applicant respectfully submits that independent Claim 1 is patentable over Dunkle, Brown, and Tenenbaum, both singularly and in combination (assuming for the sake of argument that they can even be combined, as suggested in the Office Action).

Independent Claim 16

Applicant respectfully submits that the combination of Dunkle, Brown, and Tenenbaum neither teaches nor suggests at least the following features recited in independent Claim 16, as amended:

populating the user profile based, at least in part, on the selection of the at least one first user interface button and the selection of the at least one second user interface button, the user profile also being populated based at least in part on an inference of a declaration on behalf of the user, an occurrence of an incorrect inference prompting the user to re-enter or correct the incorrect inference.

In particular, Applicant respectfully submits that the cited combination of references does not teach or suggest “the user profile also being populated based at least in part on an inference of a declaration on behalf of the user, **an occurrence of an incorrect inference prompting the user to re-enter or correct the incorrect inference,**” as presently recited in Claim 16 (emphasis added).

As stated above, Dunkle merely describes selecting an article for a user based on preferences of that user and possibly based on ratings of the article that have been submitted by other users. However, Applicant respectfully submits that Dunkle is silent with respect to describing what would occur if Dunkle selected an incorrect article and/or an article that was not of interest to that user. As a result, since Dunkle does not describe what would occur in the foregoing scenario, Applicant respectfully submits that Dunkle cannot teach or suggest “an occurrence of an incorrect inference prompting the user to re-enter or correct the incorrect inference,” as presently recited in Claim 16. Therefore, Applicant respectfully submits that Dunkle does not teach or suggest the above recitation.

Furthermore, Brown and Tenenbaum do not remedy the deficiencies in Dunkle set forth above with respect to independent Claim 16, nor does the Office make any assertions to that effect. Accordingly, for at least the reasons set forth above, Applicant respectfully submits that independent Claim 16 is patentable over Dunkle, Brown, and

Tenenbaum, both singularly and in combination (assuming for the sake of argument that they can even be combined, as suggested in the Office Action).

Independent Claim 32

Applicant respectfully submits that the combination of Dunkle, Brown, and Tenenbaum neither teaches nor suggests at least the following features recited in independent Claim 32, as amended:

automatically populating a profile of a user in response to selection of the button and based at least in part on an inferred declaration made on behalf of the user, the inferred declaration being based at least in part on a cost of making an incorrect inference versus a benefit of a correct inference.

In particular, Applicant respectfully submits that the cited combination of references does not teach or suggest “the inferred declaration being based at least in part on a cost of making an incorrect inference versus a benefit of a correct inference,” as presently recited in Claim 32.

For at least reasons set forth above with respect to independent Claim 1, Applicant respectfully submits that Dunkle fails to teach or suggest the foregoing recitation. For example, and as stated above, Dunkle merely describes selecting an article for a user based on preferences of that user and possibly based on ratings of the article that have been submitted by other users. Therefore, Applicant respectfully submits that Dunkle does not teach or suggest the above recitation.

In addition, Brown and Tenenbaum do not remedy the deficiencies in Dunkle set forth above with respect to independent Claim 32, nor does the Office make any assertions to that effect. Accordingly, for at least the reasons set forth above, Applicant respectfully submits that independent Claim 32 is patentable over Dunkle, Brown, and

Tenenbaum, both singularly and in combination (assuming for the sake of argument that they can even be combined, as suggested in the Office Action).

Independent Claim 36

Applicant respectfully submits that the combination of Dunkle, Brown, and Tenenbaum neither teaches nor suggests at least the following features recited in independent Claim 36, as amended:

an inference component configured to make declarations on behalf of the user, an incorrect inference causing the user to re-enter or correct the declarations and reducing a reliability of the profile of the user.

In particular, Applicant respectfully submits that the cited combination of references does not teach or suggest “an incorrect inference causing the user to re-enter or correct the declarations and reducing a reliability of the profile of the user,” as presently recited in Claim 36.

For at least reasons set forth above with respect to independent Claim 16, Applicant respectfully submits that Dunkle fails to teach or suggest “**an incorrect inference causing the user to re-enter or correct the declarations** and reducing a reliability of the profile of the user,” as presently recited in Claim 36 (emphasis added). For example, Applicant submits that Dunkle appears to be silent with respect to determining that an article that has been selected for a particular user is incorrect and/or is not of interest to that user. As a result, it logically follows that Dunkle also cannot teach or suggest the foregoing recitation.

Further, Applicant submits that Dunkle also does teach or suggest “an incorrect inference...reducing a reliability of the profile of the user,” as presently recited in Claim 36. For example, and as stated above, Dunkle appears to be limited to describing a

system that selects articles for users based on preferences that are known about those users, without making any determinations of whether the selected articles are correct or incorrect with respect to those users. Further still, although Dunkle describes a home page of a member, it does not appear that Dunkle describes a situation in which the reliability of a home page of a particular user is adjusted (e.g., increased, decreased, etc.). Therefore, for at least the reasons set forth above, Applicant respectfully submits that Dunkle does not teach or suggest the above recitation.

In addition, Brown and Tenenbaum do not remedy the deficiencies in Dunkle set forth above with respect to independent Claim 36, nor does the Office make any assertions to that effect. Accordingly, for at least the reasons set forth above, Applicant respectfully submits that independent Claim 36 is patentable over Dunkle, Brown, and Tenenbaum, both singularly and in combination (assuming for the sake of argument that they can even be combined, as suggested in the Office Action).

Dependent Claims 2, 3, 7, 9-11, 14, 21-27, and 30

As stated above, independent Claims 1, 16, 32, and 36 are patentable over the combination of Dunkle, Brown, and Tenenbaum. Accordingly, dependent Claims 2, 3, 7, 9-11, 14, 21-27, and 30 are also patentable over the above combination of references at least by virtue of their dependency from independent Claims 1, 16, 32, and 36, as well as for the additional features that Claims 2, 3, 7, 9-11, 14, 21-27, and 30 recite.

Claims 12 and 28 are Non-Obvious over Dunkle, Brow, Tenenbaum, and Uchiyama

Claims 12 and 28 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Dunkle, Brow, Tenenbaum, and Uchiyama. Applicant respectfully traverses the rejection and further requests that the Office reconsider and withdraw the rejection. Nevertheless, without conceding the propriety of the rejection and for the sole purpose of expediting allowance of the present application, Applicant hereby amends independent Claim 28 in the manner set forth above.

Dependent Claim 12

As stated above, independent Claim 1 is patentable over the combination of Dunkle, Brown, and Tenenbaum. Uchiyama does not remedy the deficiencies in Dunkle, Brown, and Tenenbaum noted above with respect to independent Claim 1, nor does the rejection make any arguments to that effect. As a result, independent Claim 1 is patentable over Dunkle, Brown, Tenenbaum, and Uchiyama, both singularly and in combination (assuming for the sake of argument that they can even be combined, as suggested in the Office Action). Accordingly, dependent Claim 12 is also patentable over the above combination of references at least by virtue of its dependency from independent Claim 1, as well as for the additional features that each claim recites.

Independent Claim 28

Applicant respectfully submits that the combination of Dunkle, Brown, Tenenbaum, and Uchiyama neither teaches nor suggests at least the following features recited in independent Claim 28, as amended:

populating the personal profile of the user with a second declaration inferred on behalf of the user, a reliability of the personal profile being decreased when it is determined that the second declaration is incorrect.

In particular, Applicant respectfully submits that the cited combination of references does not teach or suggest “a reliability of the personal profile being decreased when it is determined that the second declaration is incorrect,” as presently recited in Claim 28.

For at least reasons set forth above with respect to independent Claim 36, Applicant respectfully submits that the combination of Dunkle, Brown, and Tenenbaum fails to teach or suggest “a reliability of the personal profile being decreased when it is determined that the second declaration is incorrect,” as presently recited in Claim 28. For example, Applicant submits that Dunkle merely describes that articles may be selected for a user, without teaching or suggesting that the reliability of the home page associated with that user may be decreased if it is determined that the articles are incorrect and/or are not of interest to the user. As a result, and since the combination of Brown and Tenenbaum also does not teach or suggest this recitation, Applicant respectfully submits that the foregoing combination of references neither teaches nor suggests the above recitation.

Moreover, Uchiyama does not remedy the deficiencies in Dunkle, Brown, and Tenenbaum set forth above with respect to independent Claim 28, nor does the Office make any assertions to that effect. Accordingly, for at least the reasons set forth above, Applicant respectfully submits that independent Claim 28 is patentable over Dunkle, Brown, Tenenbaum, and Uchiyama, both singularly and in combination (assuming for the sake of argument that they can even be combined, as suggested in the Office Action).

CONCLUSION

For at least the foregoing reasons, Applicant respectfully submits that Claims 1-3, 7, 9-12, 14, 16, 21-28, 30, 32, and 36 are in condition for allowance. Applicant respectfully requests that the Office reconsider and withdraw the rejections and issue a notice of allowance. If any issue remains unresolved that would prevent allowance of this case, **Applicant requests that the Examiner contact the undersigned attorney to resolve the issue.**

Respectfully Submitted,

Lee & Hayes, PLLC
Representative for Applicant

/Brett J. Schlameus 60,827/

Dated: 1/16/2012

Brett J. Schlameus
(brett@leehayes.com; 206-876-6022)
Registration No. 60827

Colin Barnitz
Registration No 35061